

>> identification card provided to the officer or by verbally providing the information to the officer. In many criminal identity theft cases, the imposter is cited for a traffic violation and signs the citation and promises to appear in court. If the person does not appear in court, a bench warrant may be issued, but the warrant for arrest will be under the victim's name, not the actual perpetrator. If the victim then is detained during a routine traffic stop, he or she can be arrested and taken to jail because of the outstanding bench warrant.

In other cases, the imposter will appear in court and plead guilty without the victim being aware of the event, in turn establishing a criminal record for those actions, which is now in the victim's name. Once the arrest or court information is recorded and forwarded to the national crime index database, the victim may be denied employment or terminated from employment because of a tainted background check.

The burden of clearing one's name within the criminal justice system falls primarily on the victim, who must act quickly to minimize the damage. But the responsibility to correct the erroneous data in the various criminal justice computer systems lies with the officials working within the criminal justice system. Unfortunately, there are no clearly established procedures for clearing one's

wrongful criminal record, according to the Identity Theft Resource Center, or ITRC.

#### **DAMAGING REPERCUSSIONS**

However, financial identity theft is the most widely known form of identity theft. Often victims stumble across the violation in attempts to obtain funding for large purchases such as a new home or car, or even student loans. Immediately, the excitement of these new endeavors is zapped as their credit application is denied and they slowly uncover that falsely-opened accounts and surmounting debt has ransacked their credit.

Identity theft is a dual crime — it is fraud against the financial institution and it is theft of the individual's identity. If

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officers do not communicate effectively with a victim and leave that person feeling law enforcement is part of the problem, officers are doing themselves and their department a disservice.

For law enforcement, knowing how to assist victims is imperative. The very first steps officers should take are to procure an initial police report or incident report and encourage the individual to immediately contact the three credit-reporting agencies and put a fraud alert on his or her credit bureau report.

"It is so important for police departments to be sensitive that [victims] need something in writing from a police officer indicating that a report has been made," said Lori Farris, manager of the Mediation and Senior Protection Branch under the Kentucky Attorney General's Office of Consumer Protection. "It allows them to work through the creditors and produce that needed documentation. It is something [victims] have to have in hand to start piecing their lives back together and get the creditors off their back."

Oftentimes, Farris said victims will hit a brick wall even at the initial step of going to their local law enforcement agency to file a report, because small Kentucky agencies often do not have the time, personnel or resources to work identity theft cases.

The Attorney General's Office serves as a clearinghouse to get people the information they need to help themselves. Individuals like Farris counsel identity theft victims who are angry, and tired of fighting a losing battle on their own. Even nationally, the ITRC identifies that the most frequent complaints encountered

